

U.S.A. vs

Sergio Carbajal-Garcia

No.

08CR0907-LAB  
4-15-08 (X7/XT)

The Court finds excludable delay, under the section indicated by check (✓),  
commenced on 4-15-08 and ended on 7-7-08; (X7/XT)  
and ended on \_\_\_\_\_ ( )

3161(h)

- (1) (A) Exam or hrg for **mental or physical incapacity**
- (1) (B) **NARA examination (28:2902)**
- (1) (D) **State or Federal trials or other charges pending**
- (1) (E) **Interlocutory appeals**
- (1) (F) **Pretrial motions (from filg to hrg or other prompt dispo)**
- (1) (G) **Transfers from other district (per FRCrP 20, 21 & 40)**
- (1) (J) **Proceedings under advisement not to exceed thirty days**
- Misc proc: **Parole or prob rev, deportation, extradition**
- (1) (H) **Transportation from another district or to/from examination or hospitalization in ten days or less**
- (1) (I) **Consideration by Court of proposed plea agreement**
- (2) **Prosecution deferred by mutual agreement**
- (3) (A) (B) **Unavailability of defendant or essential witness**
- (4) **Period of mental or physical incompetence of defendant to stand trial**
- (5) **Period of NARA commitment or treatment**
- (6) **Superseding indictment and/or new charges**
- (7) **Defendant awaiting trial of co-defendant when no severance has been granted**
- (8) (A) (B) **Continuances granted per (h)(8)-use "T" alone if more than one of the reasons below are given in support of continuance**
- (8) (B) (i) 1) **Failure to grant a continuance in the proceeding would result in a miscarriage of justice and the ends of justice outweigh the best interest of the public and the defendant in a speedy trial.**  
**(Continuance - miscarriage of justice)**
- 2) **Failure to grant a continuance of the trial would result in a miscarriage of justice as the defendant has tendered a guilty plea to a magistrate judge and is awaiting a determination as to whether the plea will be accepted.**  
**(Continuance - tendered a guilty plea)**
- (8) (B) (ii) 2) **Case unusual or complex**
- (8) (B) (iii) 3) **Indictment following arrest cannot be filed in thirty (30) days**
- (8) (B) (iv) 4) **Continuance granted in order to obtain or substitute counsel, or give reasonable time to prepare**  
**(Continuance re counsel)**
- 3161(I) **Time up to withdrawal of guilty plea**
- 3161(b) **Grand jury indictment time extended thirty (30) more days**

Date 4-15-08

CAB  
Judge's Initials

A  
B  
C  
D  
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K  
L  
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O  
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T3  
T4  
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W